

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
Albany Division**

MATTHEW AVITABILE; FIREARMS)	
POLICY COALITION; and FIREARMS)	
POLICY FOUNDATION)	
)	
Plaintiffs,)	
)	Civil Action No. _____
v.)	
)	
ANDREW M. CUOMO, in his Official)	
Capacity as Governor of the State of New)	
York, ERIC SCHNEIDERMAN, in his)	
Official Capacity as Attorney General of)	
New York and LT. COL. GEORGE)	
BEACH in his Official Capacity as)	
Superintendent of the New York State Police))	
)	
Defendants.)	
_____)	

DECLARATION OF MATTHEW AVITABILE

COMES NOW, Matthew Avitabile, and states as follows:

1. I am an adult male resident of the State of New York and reside in Schoharie County.
2. I am a member of Firearms Policy Coalition and Firearms Policy Foundation.
3. I desire to purchase a stun gun and/or Taser for lawful self-defense and in appropriate circumstances desire to carry said stun gun or Taser for self-defense.
4. New York bans the possession of stun guns and/or Tasers. As such, I am unable to purchase one for lawful self-defense.
5. I would purchase and own, and in appropriate circumstances, carry a stun gun or Taser, but upon information and belief, New York enforces its ban on owning and carrying a stun gun or a Taser, and I fear prosecution for owning and carrying a stun gun or a Taser.

6. Therefore, I have refrained from purchasing, owning, carrying or otherwise violating New York's ban on stun guns and Tasers.

FURTHER, DECLARANT SAYETH NAUGHT.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on December __3__, 2016.

A handwritten signature in black ink, appearing to read 'Matthew Avitabile', written over a faint, illegible background.

Matthew Avitabile